

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 4.2, "OFFICIAL ZONING MAP," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 34 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:

City Attorney

EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Section 4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, is hereby amended as follows:

The following properties are rezoned from A-O Agricultural-Open to C-1 General Commercial:

Tract 2:

Being all that certain tract of land containing 35.79 acres, out of the Augustus Babilie Survey, A-75, also being part of a called 55.9714 acre tract owned by M. Mitchell Harper as recorded in Volume 6167, Page 175 of the Brazos County Official Records (B.C.O.R.), the 35.79 acre tract being more particularly described as follows, with all control referred to the 1983 Texas State Plane Coordinate System, Lambert Projection, Central Zone.

Said tract being more particularly described by metes and bounds in the attached Exhibit "B" and graphically shown in Exhibit "E":

Tract 3:

Being all that certain tract of land containing 1.663 acres, out of the Augustus Babilie Survey, A-75, also being part of a called 55.9714 acre tract owned by M. Mitchell Harper as recorded in Volume 6167, Page 175 of the Brazos County Official Records (B.C.O.R.), the 1.663 acre tract being more particularly described as follows, with all control referred to the 1983 Texas State Plane Coordinate System, Lambert Projection, Central Zone.

Said tract being more particularly described by metes and bounds in the attached Exhibit "C" and graphically shown in Exhibit "E":

Tract 4:

Being all that certain tract of land containing 2.218 acres, out of the Augustus Babilie Survey, A-75, also being part of a called 55.9714 acre tract owned by M. Mitchell Harper as recorded in Volume 6167, Page 175 of the Brazos County Official Records (B.C.O.R.), the 2.218 acre tract being more particularly described as follows, with all control referred to the 1983 Texas State Plane Coordinate System, Lambert Projection, Central Zone.

Said tract being more particularly described by metes and bounds in the attached Exhibit "D" and graphically shown in Exhibit "E":

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TRACT 2
METES AND BOUNDS DESCRIPTION
OF A 35.79 ACRES TRACT
AUGUSTUS BABILLE SURVEY, A-75
BRAZOS COUNTY, TEXAS

Being a tract of land containing 35.79 acres, out of the Augustus Babilie Survey, A-75, also being part of a called 55.9714 acre tract owned by M. Mitchell Harper as recorded in Volume 6167, Page 175 of the Brazos County Official Records (B.C.O.R.), the 35.79 acre tract being more particularly described as follows, with all control referred to the 1983 Texas State Plane Coordinate System, Lambert Projection, Central Zone:

BEGINNING at a 5/8" iron rod found for the northeast corner of the said called 55.9714 acre Harper tract, also being the northeast corner of this tract, also being the south corner of the JL Gaut tract of land as recorded in Volume 1850, Page 248 of the B.C.O.R., also being a point along the west right-of-way line of Arrington Road, a 50' right-of-way, having a Texas State Plane Coordinate Value of $X = 3,578,788.74(E)$, $Y = 10,188,220.54(N)$;

THENCE along the said west right-of-way of Arrington Road, South $2^{\circ}44'17''$ East, a distance of 955.38 feet to a 5/8" iron rod set for the southeast corner of this tract, also being a point along the said west right-of-way of Arrington Road, also being the southeast corner of the remainder of the said called 55.9714 acre Harper tract;

THENCE severing the said called 55.9714 acre Harper tract, along the common line between this tract and the said remainder of the Harper tract, the following calls and distances:

South $86^{\circ}56'23''$ West, a distance of 48.01 feet to a 5/8" iron rod set for corner;

North $32^{\circ}40'01''$ West, a distance of 178.28 feet to a 5/8" iron rod set for corner;

North $47^{\circ}01'45''$ West, a distance of 263.13 feet to a 5/8" iron rod set for corner;

North $66^{\circ}50'29''$ West, a distance of 292.09 feet to a 5/8" iron rod set for corner;

North $84^{\circ}08'14''$ West, a distance of 326.99 feet to a 5/8" iron rod set for corner;

North $78^{\circ}00'19''$ West, a distance of 146.64 feet to a 5/8" iron rod set for corner;

North $67^{\circ}34'48''$ West, a distance of 185.21 feet to a 5/8" iron rod set for corner;

North $53^{\circ}53'53''$ West, a distance of 185.96 feet to a 5/8" iron rod set for a west corner of this tract, also being a point along the southeast boundary line of the called 1.44 acre tract of land owned by the City of College Station, as recorded in Volume 5960, Page 284 of the B.C.O.R.;

THENCE along the common line between this tract and the said called 1.44 acre City of College Station tract the following calls and distances:

North $41^{\circ}48'45''$ East, a distance of 50.00 feet to a 5/8" iron rod set for corner;

Around a curve to the right having a delta angle of $05^{\circ}25'59''$, an arc distance of 75.86 feet, a radius of 800.00 feet, and a chord of North $45^{\circ}28'15''$ West, a distance of 75.83 feet to a 5/8" iron rod set for corner;

Around a curve to the right having a delta angle of $13^{\circ}36'47''$, an arc distance of 188.88 feet, a radius of 794.99 feet, and a chord of North $31^{\circ}24'52''$ West, a distance of 188.44 feet to a 5/8" iron rod set for corner;

North $29^{\circ}08'28''$ West, a distance of 278.35 feet to a 5/8" iron rod set for corner;

North 1°41'27" West, a distance of 76.53 feet to a 5/8" iron rod set for the northwest corner of this tract, also being the north corner of the said called 1.44 acre City of College Station tract, also being a point along the southeast right-of-way line of Greens Prairie Road, a variable width right-of-way;

THENCE along the said southeast right-of-way of Greens Prairie Road the following calls and distances:

North 45°36'03" East, a distance of 258.87 feet to a Texas Department of Transportation Right-Of-Way monument found for corner;

North 40°51'27" East, a distance of 572.89 feet to a Texas Department of Transportation Right-Of-Way monument for the north corner of this tract, also being a point along the said southeast right-of-way of Greens Prairie Road, also being the west corner of the JL Gaut tract of land as recorded in Volume 1850, Page 248, of the B.C.O.R.;

THENCE along the common line between this tract and the said JL Gaut tract the following calls and distances:

South 48°36'39" East, a distance of 753.14 feet to a 5/8" iron rod found for corner;

South 48°59'38" East, a distance of 638.43 feet to the **PLACE OF BEGINNING** containing 35.79 acres.

The basis of this survey is iron rods and concrete monuments found along the right-of-way lines of Greens Prairie Road and Arrington Road.



Dante Carlomagno
Texas Registered Professional
Land Surveyor No. 1562
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**TRACT 3
METES AND BOUNDS DESCRIPTION
OF A 1.663 ACRES TRACT
AUGUSTUS BABILLE SURVEY, A-75
BRAZOS COUNTY, TEXAS**

Being a tract of land containing 1.663 acres, out of the Augustus Babilie Survey, A-75, also being part of a called 55.9714 acre tract owned by M. Mitchell Harper as recorded in Volume 6167, Page 175 of the Brazos County Official Records (B.C.O.R.), the 1.663 acre tract being more particularly described as follows, with all control referred to the 1983 Texas State Plane Coordinate System, Lambert Projection, Central Zone:

BEGINNING at a 1/2" iron rod found for the west corner of the said called 55.9714 acre Harper tract, also being the north corner of the Norma Hagler tract of land as recorded in Volume 265, Page 539 of the Brazos County Deed Records (B.C.D.R.), also being a point along the southeast right-of-way line of Greens Prairie Road, a variable width right-of-way, having a Texas State Plane Coordinate Value of X= 3,576,868.15(E), Y = 10,188,205.44 (N);

THENCE along the said southeast right-of-way of Greens Prairie Road the following calls and distances:

North 41°12'18" East, a distance of 108.94 feet to a Texas Department of Transportation monument found for corner;

North 45°42'19" East, a distance of 153.28 feet to a 5/8" iron rod set for the north corner of this tract, also being a point along the said southeast right-of-way of Greens Prairie Road, also being the northwest corner of the called 1.44 acre tract of land owned by the City of College Station as recorded in Volume 5960, Page 284 of the B.C.O.R.;

THENCE along the common line between this tract and the said called 1.44 acre City of College Station tract the following calls and distances:

South 33°25'49" East, a distance of 241.81 feet to a 5/8" iron rod set for corner;

South 29°10'47" East, a distance of 66.47 feet to a 5/8" iron rod set for corner;

South 10°26'13" West, a distance of 89.11 feet to a 5/8" iron rod set for corner;

Around a curve to the right having a delta angle of 07°27'16", an arc distance of 104.08 feet, a radius of 800.00 feet, and a chord of South 58°21'03" West, a distance of 104.01 feet to a 5/8" iron rod set for the south corner of this tract, also being the southwest corner of the said called 1.44 acre City of College Station tract, also being a point along the northeast boundary line of the said Hagler tract;

THENCE along the common line between this tract and the said Hagler tract, North 48°41'26" West, a distance of 322.73 feet to the **PLACE OF BEGINNING** containing 1.663 acres.

The basis of this survey is iron rods and concrete monuments found along the right-of-way lines of Greens Prairie Road and Arrington Road.



Dante Carlomagno
Texas Registered Professional
Land Surveyor No. 1562
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**TRACT 4
METES AND BOUNDS DESCRIPTION
OF A 2.218 ACRES TRACT
AUGUSTUS BABILLE SURVEY, A-75
BRAZOS COUNTY, TEXAS**

Being a tract of land containing 2.218 acres, out of the Augustus Babilie Survey, A-75, also being part of a called 55.9714 acre tract owned by M. Mitchell Harper as recorded in Volume 6167, Page 175 of the Brazos County Official Records (B.C.O.R.), the 2.218 acre tract being more particularly described as follows, with all control referred to the 1983 Texas State Plane Coordinate System, Lambert Projection, Central Zone:

COMMENCING at a 5/8" iron rod found for the southeast corner of the said called 55.9714 acre Harper tract, also being a point along the west right-of-way line of Arrington Road, a 50' right-of-way, also being the northeast corner of the Wellborn Special Utility District tract of land as recorded in Volume 3989, Page 130 of the B.C.O.R., having a Texas State Plane Coordinate Value of X= 3,578,858.35(E), Y = 10,186,764.87 (N);

THENCE along the common line between the said called 55.9714 acre Harper tract and the said Wellborn Special Utility District tract, South 86°48'51" West, a distance of 332.70 feet to a 5/8" iron rod found for the southwest corner of the said called 55.9714 acre Harper tract, also being the northwest corner of the said Wellborn Special Utility District tract, also being a point along the northeast boundary line of the Norma Hagler tract of land as recorded in Volume 265, Page 539 of the Brazos County Deed Records;

THENCE along the common line between the said called 55.9714 acre Harper tract and the said Hagler tract, North 48°39'08" West, a distance of 1,252.34 feet to a 5/8" iron rod set for the **PLACE OF BEGINNING**, also being the south corner of this tract, also being a point along the said common line between the said called 55.9714 acre Harper tract and the said Hagler tract;

THENCE along the common line between this tract and the said Hagler tract, North 48°34'52" West, a distance of 527.13 feet to a 5/8" iron rod found for the west corner of this tract, also being a point along the said northeast boundary line of the Hagler tract, also being a south corner of the called 1.44 acre tract of land owned by the City of College Station as recorded in Volume 5960, Page 284 of the B.C.O.R.;

THENCE along the common line between this tract and the said called 1.44 acre City of College Station tract the following calls and distances:

Around a curve to the left having a delta angle of 06°21'35", an arc distance of 99.90 feet, a radius of 900.00 feet, and a chord of North 56°22'46" East, a distance of 99.85 feet to a 5/8" iron rod set for corner;

South 87°30'55" East, a distance of 70.98 feet to a 5/8" iron rod set for corner;

Around a curve to the left having a delta angle of 05°25'59", an arc distance of 85.34 feet, a radius of 900.00 feet, and a chord of South 45°28'15" East, a distance of 85.31 feet to a 5/8" iron rod set for corner;

North 41°48'45" East, a distance of 50.00 feet to a 5/8" iron rod set for a north corner of this tract, also being a point along the southeast boundary line of the said called 1.44 acre City of College Station tract, also being a southwest corner of the remainder of the said called 55.9714 acre Harper tract;

THENCE severing the said called 55.9714 acre Harper tract the following calls and distances:

South 53°53'53" East, a distance of 185.96 feet to a 5/8" iron rod set for corner;

South 67°34'48" East, a distance of 185.21 feet to a 5/8" iron rod set for corner;

South 41°20'52" West, a distance of 263.97 feet to the **PLACE OF BEGINNING** containing 2.218 acres.

The basis of this survey is iron rods and concrete monuments found along the right-of-way lines of Greens Prairie Road and Arrington Road.



Dante Carlomagno
Texas Registered Professional
Land Surveyor No. 1562
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